

## **REMARKS**

### **Amendments**

Support for the amendment to claim 1 can be found, for example, in original claim 11. Claim 18 has been amended as suggested. No new matter has been added.

### **Oath or Declaration**

The Oath or Declaration is objected to as defective because no translation or English text has been provided. Applicants request clarification since the Declaration filed on 5 April 2006 is in English.

### **Information Disclosure Statement**

Applicants are submitting herewith an Information Disclosure Statement listing the references EP 0657897 and EP 1227362, which were previously cited in the Information Disclosure Statement of December 16, 2005. In addition, applicants are also submitting copies of EP 0657897 and EP 1227362, as well as a copy of an English language version of the October 28, 2004 International Search Report, which cited EP 0657897 and EP 1227362. See MPEP 609.04(a)(III).

Applicants respectfully request that the Examiner initial the form PTO-1449 attached to the Information Disclosure Statement, indicating that the references have been considered, and return an initialed copy thereof to applicants with the next Office Action.

### **Rejection under 35 USC 102**

Claims 1-4, 13-16, and 19 stand rejected as allegedly being anticipated by Papenfuhs et al. (WO 03/020776; US 7,358,304). This rejection is respectfully traversed.

Papenfuhs et al. disclose high molecular weight polyvinyl butyrals that can be prepared without the addition of a separate crosslinking reagent. The polyvinyl butyrals are said to be suitable for the production of films and coatings. These polyvinyl butyrals contain coacetalized, acid-functionalized aldehydes that are thermoplastically crosslinkable. As a result these polyvinyl butyrals are (self-)crosslinking. In addition, the crosslinked polyvinyl

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butyrals are admixed with antiadhesion agents containing divalent cations, such as Mg(II) ions, without decreasing the adhesion-reducing activity of the antiadhesion agents. See column 2, lines 19-45.

On page 2 of the Office Action, the Examiner alleges that Example 18 of Papenfuhs et al. teaches a magnesium cation containing compound/support electrolyte. However, Papenfuhs et al. teaches 0.0051 g of Mg 2-ethylhexanoate (0.014 % of the total combined mass). Furthermore, Papenfuhs teaches the Mg 2-ethylhexanoate as an adhesion agent and not a support electrolyte. The ionic strength of the Mg 2-ethylhexanoate is far less than the electroactive substances in which it is dissolved. Thus, Papenfuhs et al. does not disclose a supporting electrolyte and is particularly silent regarding 0.1 to 25 % by weight of at least one support electrolyte.

Thus, it is respectfully requested that the rejection under 35 USC 102 be withdrawn.

### **Rejections under 35 USC 103**

Claims 1-4, 11-19 stand rejected as allegedly being unpatentable over Heckner et al. (Kraft et al. WO 0240578) in view of Papenfuhs et al. (WO 03/020776; US 7,358,304).

Heckner et al. (Kraft et al. WO 0240578) teaches a composition and process for producing an optically transparent, mechanically stable, elastic, thermoplastic polyvinyl acetal film containing plasticizers. The film has ion-conducting properties and can be used as an electrolyte in an electrochromic systems, as an intermediate layer for a multilayer glass or in lithium ion batteries.

As the Examiner correctly notes on page 4 of the Office Action, Heckner et al. does not teach polyvinyl butyrate as having a coacetate of the formula II.

On page 5 of the Office Action the Examiner alleges that, at page 2, Heckner et al. discloses 0.1 to 5 % by weight of an electrolyte (Lietsalze). However, Heckner et al. discloses that the amount of "Lietsalze" is 0.1 to 5 mol/l dissolved in the softener portion and not 0.1 to 5 % by weight of the total composition, as alleged.

Thus, even the combination of references fails to teach or suggest the present invention. Like Papenfuhs et al., Heckner et al. is silent regarding an ion-conductive thermoplastic composition which comprises 0.1 to 25 % by weight of at least one support

electrolyte.

It is respectfully requested that the rejection under 35 USC 103 be withdrawn.

The Commissioner is hereby authorized to charge any fees associated with this response or credit any overpayment to Deposit Account No. 13-3402.

Respectfully submitted,

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